

## UNITED STATES DISTRICT COURT

for the  
Southern District of OhioIn the Matter of the Search of  
(Briefly describe the property to be searched  
or identify the person by name and address)Priority Mail, Tracking Number, 9505 5126 5492 9093 1193 82,  
addressed to Ari Marquez, 5764 Childs Ave, Cincinnati, OH 45248,  
with a return address of Stephanie, 212 N 1<sup>st</sup>, La Puente, CA 91744.

Case No.

19 MJ 261

## APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Priority Mail, Tracking Number, 9505 5126 5492 9093 1193 82, addressed to Ari Marquez, 5764 Childs Ave, Cincinnati, OH 45248, with a return address of Stephanie, 212 N 1<sup>st</sup>, La Puente, CA 91744.

located in the Southern District of Ohio, there is now concealed (identify the person or describe the property to be seized):

A quantity of a controlled substance and/or proceeds which are evidence thereof, and/or contraband, in violation of Title 21, United States Code, Section 841(a)(1).

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☐ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

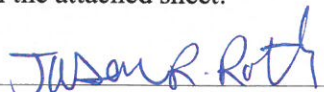
The search is related to a violation of: Title 21

Code Section	Offense Description
21 U.S.C. 841 (a) (1)	Possession with intent to distribute a controlled substance

The application is based on these facts:

See attached affidavit of U.S. Postal Inspector Jason R. Roth

- ☒ Continued on the attached sheet.
- ☐ Delayed notice \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

  
 Applicant's signature

 Jason R. Roth, U.S. Postal Inspector  
 Printed name and title

Sworn to before me and signed in my presence.

Date: 4/9/19

  
 Judge's signature

City and state: Cincinnati, Ohio

 Karen L. Litkovitz  
 United States Magistrate Judge  
 Printed name and title

### AFFIDAVIT

I, Jason R. Roth, having been duly sworn, depose and state:

1. I am a United States Postal Inspector, having been so employed since February 23, 2013. I am presently assigned to the Cincinnati Field Office, Pittsburgh Division of the United States Postal Inspection Service (USPIS) with investigative responsibility for southwest Ohio and northern Kentucky. Part of my investigative responsibility involves the use of the United States Mail in the illegal transporting of narcotics and other dangerous controlled substances and financial proceeds relating thereto.
2. Your Affiant completed United States Postal Inspection Service Basic Training in May 2013. The training involved narcotic investigation techniques, chemical field tests and training in the detection and identification of controlled substances being transported in the United States Mail. In addition to this formal training, your Affiant has worked since May 2013 with various federal, state and local law enforcement agencies in the investigation of the transportation of illegal drugs and their identification.
3. This Affidavit is made in support of a search warrant for the following property, namely a parcel associated with the following United States Postal Service (USPS) Priority Mail, Tracking Number:

a. **9505 5126 5492 9093 1193 82** (the "Parcel")

This Affidavit is made in support of a warrant to search the Parcel for evidence of a crime as well as contraband, fruits of a crime or other items illegally possessed in relation to the following offense:

- a. Possession with Intent to Distribute Controlled Substances, in violation of Title 21, United States Code, § 841.

Because this Affidavit is submitted in support of the application of the United States to search the Parcel, it does not include every fact known concerning this investigation. I have set forth facts and circumstances that I have relied upon to establish probable cause to justify the issuance of a warrant to search the Parcel. The Parcel is currently being held at the USPIS Cincinnati Field Office.

4. Your Affiant has become aware that drug traffickers frequently use Priority Mail Express and/or Priority Mail, services offered by the USPS, to transport narcotics and other dangerous controlled substances. As a result of investigations and successful controlled substance prosecutions where Priority Mail Express and/or Priority Mail were used, your Affiant has learned of certain characteristics indicative of other Priority Mail Express and/or Priority Mail items previously identified as containing narcotics or other dangerous controlled substances. Some of these characteristics include, but are not necessarily limited to or used on every occasion - false or non-existent return address,



addressee is not known to receive mail at the listed delivery address, the package is heavily taped, the package is mailed from a known drug source location, labeling information contains misspellings, the label contains an illegible waiver signature, unusual odors emanating from the package, and the listed address is located in an area of known or suspected drug activity.

5. On or about April 5, 2019, your Affiant identified and intercepted the Parcel from the Westwood Post Office, Cincinnati, OH.

The Parcel is further described as:

**Priority Mail, Tracking Number:** 9505 5126 5492 9093 1193 82

Weighing approximately 7 pounds 13 ounces in a large USPS Priority Mailbox. Dimensions are 12"x12"x5". Postage paid for was \$19.95.

**Sender:** Stephanie  
212 N 1<sup>st</sup> La Puente  
CA 91744

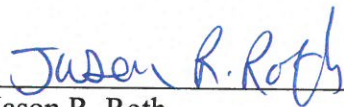
**Addressee:** Ari Marquez  
5764 Childs Ave  
Cincinnati, OH 45248

6. Observation and USPS tracking information of the Parcel, by your Affiant, indicated it was mailed from the La Puente Post Office, La Puente, CA 91744.
7. The CLEAR database was researched by your Affiant regarding the listed return address of the Parcel: Stephanie, 212 N 1<sup>st</sup>, La Puente, CA 91744. CLEAR is a public record data investigative platform available exclusively to law enforcement and other government investigators about people and businesses. The information obtained from the system indicated there is no Stephanie associated with that address.
8. The CLEAR database was researched by your Affiant regarding the listed addressee of the Parcel: Ari Marquez, 5764 Childs Ave, Cincinnati, OH 45248. The information obtained from the system indicated there is no Ari Marquez associated with that address.
9. On or about April 8, 2019, your Affiant arranged for Deputy Nick Poole, Hamilton County Sheriff's Office, to utilize a narcotics canine to check the Parcel. Deputy Poole and his canine "Akim" are a currently certified narcotics team. The team is certified by the Ohio Peace Officer Training Commission and the Office of the Attorney General (Ohio). Deputy Poole reports that "Akim" passed all of his examinations and has successfully located hidden drugs in the past and therefore your Affiant considers "Akim" to be reliable. On the same date, your Affiant met Deputy Poole at the USPS Cincinnati

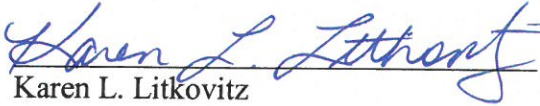
Field Office where the Parcel was placed in a separate office among several other similar parcels and presented to narcotic canine, "Akim", who alerted positively to the presence or odor of a controlled substance upon the Parcel. Attached herewith, and incorporated by reference, is a photocopy of the narcotic canine handler's record of examination.

10. Based upon my experience and training, this information, along with the positive alerts of narcotic canine "Akim" is indicative of the Parcel containing narcotics or proceeds relating thereof.
11. Based upon the information contained in this Affidavit, your Affiant believes that there is probable cause to believe that the Parcel will contain evidence and/or contraband, fruits of crime, or other items illegally possessed. Therefore, a search warrant to open the Parcel is requested.

Further, your Affiant sayeth naught.

  
\_\_\_\_\_  
Jason R. Roth  
U.S. Postal Inspector

Subscribed and sworn to and before me this 9 day of April, 2019

  
\_\_\_\_\_  
Karen L. Litkovitz  
United States Magistrate Judge





United States Postal Inspection Service  
Pittsburgh Division

### OFFICER AFFIDAVIT

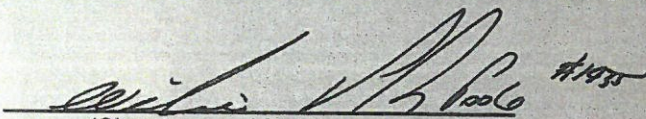
I, DEPUTY N. POOLE, AM, AND HAVE BEEN, EMPLOYED BY THE HAMILTON COUNTY SHERIFF'S OFFICE, SINCE 2004. AMONG OTHER DUTIES, I AM CURRENTLY THE ASSIGNED HANDLER OF NARCOTICS DETECTION CANINE "AKIM", WHICH IS TRAINED AND CERTIFIED IN THE DETECTION OF THE PRESENCE OR ODOR OF NARCOTICS DESCRIBED AS FOLLOWS:

**Marijuana, Hashish, Cocaine, Heroin, Methamphetamines, Ecstasy**

ON 04/08/2019, AT THE REQUEST OF POSTAL INSPECTOR J.R. ROTH I RESPONDED TO THE US POSTAL INSPECTION SERVICE CINCINNATI FIELD OFFICE WHERE "AKIM" DID ALERT TO AND INDICATE UPON THE FOLLOWING DESCRIBED ITEM:

USPS Priority Mail, Tracking Number: 9505 5126 5492 9093 1193 82, addressed to Ari Marquez, 5764 Childs Ave, Cincinnati, OH 45248, with a return address of Stephanie, 212 N 1<sup>st</sup>, La Puente CA 91744.

BASED ON MY TRAINING AND EXPERIENCE AND THAT OF "AKIM", I CONSIDER THE ABOVE DESCRIBED ITEM TO CONTAIN WITHIN OR UPON THE PRESENCE OR ODOR OF A NARCOTIC OR OTHER DANGEROUS CONTROLLED SUBSTANCE.

  
(Signature and Date)